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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 03/02/2004

BENNET JONES LLP
855 - 2nd Street SW
4500 Bankers Hall East
Calgary, AB T2P 4K7
CANADA

EXAMINER

ROSENBERG, LAURA B

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 03/02/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,817	12/14/2001	Imad Assaf	38961-20	1669

TITLE OF INVENTION: CARGO CARRIER SUSPENSION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	06/02/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

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If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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If the SMALL ENTITY is shown as NO:

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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

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7590 03/02/2004

**BENNET JONES LLP
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4500 Bankers Hall East
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CANADA**

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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EXAMINER	ART UNIT	CLASS-SUBCLASS
ROSENBERG, LAURA B	3616	280-124170

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies _____

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- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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EXAMINER

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

10/014,817

Examiner

Laura B Rosenberg

Applicant(s)

ASSAF ET AL.

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after final amendment filed on 12 February 2004.
2. ☒ The allowed claim(s) is/are 3-10, 12-57 and 59-70.
3. ☒ The drawings filed on 05 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT:Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Roseann Caldwell on February 27, 2004.

The application has been amended as follows:

The entire contents of claim 65 are being deleted and replaced with, "The cargo carrier suspension of claim 64 wherein the clamping device clamps the spring to the frame."

In claim 67, at the end of line 6, the phrase "away from the frame, but limited in flex in a direction opposite to the first direction" was added in between "a first direction" (end of line 6) and "by abutment against the frame" (beginning of line 7). This portion of claim 67 will now read, "a first direction away from the frame, but limited in flex in a direction opposite to the first direction by abutment against the frame".

DETAILED ACTION

1. This office action is in response to the amendment received on February 12, 2004, in which claims 3-10, 12-24, 29, 40, 44, 51, 59, 61-70 were amended and claims 1, 2, 11, and 58 were canceled.

Allowable Subject Matter

2. Claims 3-10, 12-57, and 59-70 are allowed.

3. The following is an examiner's statement of reasons for allowance:

the allowable subject matter in claims 5 and 15 is the child carrier suspension comprising a clamping device that is adjustable to select the degree of flexibility of a spring by controlling its free flexing length;

the allowable subject matter in claims 6 and 16 is the child carrier suspension comprising a clamping device that is adjustable to select the degree of flexibility of a spring by controlling the stiffness of the spring;

the allowable subject matter in claims 7 and 17 is the child carrier suspension comprising a spring formed as a spring pack including a plurality of spring leaves and the clamping device acts to select the degree of flexibility of the spring to control the degree to which the plurality of spring leaves are connected to act together in the spring pack;

the allowable subject matter in claims 10 and 20 is the child carrier suspension comprising markings for guiding the positioning of the clamping device along the spring to achieve a selected degree of flexibility;

the allowable subject matter in claim 25 is the cargo carrier suspension comprising a leaf spring connected at a fixed end to the cargo carrier and connected at an opposite end to the transport means combined with a clamping device for engagement on the leaf spring and adjustable to select the degree of flexibility of the leaf spring by controlling its free flexing length;

the allowable subject matter in claim 35 is the cargo carrier suspension comprising a leaf spring connected at a fixed end to the cargo carrier and connected at an opposite end to the transport means combined with a clamping device for engagement on the leaf spring and adjustable to select the degree of flexibility of the leaf spring by controlling the stiffness of the spring;

the allowable subject matter in claim 37 is the cargo carrier suspension comprising a leaf spring connected at a fixed end to the cargo carrier and connected at an opposite end to the transport means combined with a clamping device for engagement on the leaf spring and adjustable to select the degree of flexibility of the leaf spring by controlling the degree to which the spring leaves are connected to act together in the spring pack;

the allowable subject matter in claim 41 is the cargo carrier suspension comprising a leaf spring connected at a fixed end to the cargo carrier and connected at an opposite end to the transport means combined with a clamping device for engagement on the leaf spring to control the degree to which the plurality of spring leaves are connected to act together in the spring pack;

the allowable subject matter in claim 48 is the cargo carrier suspension comprising a leaf spring connected at a fixed end to the frame of the cargo carrier and including a connection along a length of the leaf spring to the transport means combined with a clamping device for clamping the leaf spring to the frame along its length between its fixed end and its connection to the transport means and the clamping device being adjustable to permit selection of the degree of flexibility of the leaf spring;

the allowable subject matter in claim 64 is the cargo carrier suspension comprising a spring including a fixed end connected to the frame of the cargo carrier to extend out adjacent the frame, the spring being free to flex in a first direction away from the frame, but limited in flex in a direction opposite to the first direction by abutment against the frame combined with a clamping device for engagement on the spring and adjustable to permit selection of the degree of flexibility of the spring by controlling its free flexing length;

the allowable subject matter in claim 66 is the cargo carrier suspension comprising a leaf spring including a fixed end connected to the frame of the cargo carrier to extend out adjacent the frame, the leaf spring being free to flex in a first direction away from the frame, but limited in flex in a direction opposite to the first direction by abutment against the frame combined with a clamping device for engagement on the leaf spring and adjustable to permit selection of the degree of flexibility of the leaf spring by controlling the stiffness of the spring;

the allowable subject matter in claim 67 is the cargo carrier suspension comprising a leaf spring including a fixed end connected to the frame of the cargo carrier to extend out adjacent the frame, the leaf spring being free to flex in a first direction away from the frame, but limited in flex in a direction opposite to the first direction by abutment against the frame combined with a clamping device for engagement on the leaf spring and adjustable to permit selection of the degree of flexibility of the leaf spring , wherein the leaf spring is formed as a spring pack including a plurality of spring leaves and the clamping device acts to select the degree of flexibility

of the leaf spring by controlling the degree to which the plurality of spring leaves are connected to act together in the spring pack;

the allowable subject matter in claim 70 is the cargo carrier suspension comprising a spring including a fixed end connected to the frame of the cargo carrier to extend out adjacent the frame, the spring being free to flex in a first direction away from the frame, but limited in flex in a direction opposite to the first direction by abutment against the frame combined with a clamping device for engagement on the spring and adjustable to permit selection of the degree of flexibility of the spring and markings guiding the positioning of the clamping device along the spring to achieve a selected degree of flexibility.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura B Rosenberg whose telephone number is (703) 305-3135. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lana B. Rosenberg
LBR

Paul N. Dickson 3/1/04
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600